

Remarks

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and the following remarks. Claims 1, 3-18, and 20-27 are pending in the application.

Cited Art

The Action cites:

Meyer et al., U.S. Patent Publication No. 2001/0031066 (hereinafter “Meyer”);

Fredlund et al., U.S. Patent No. 6,111,950 (hereinafter “Fredlund”); and

Both, U.S. Patent No. 7,412,449 (hereinafter “Both”).

Patentability of the Claims Under 35 U.S.C. § 103(a) Over Cited Art

The Action rejects claims 1, 6-13, 15-18, and 27 under 35 U.S.C. § 103(a) as unpatentable over Meyer in view of Fredlund. The Action rejects claims 3-5 under 35 U.S.C. § 103(a) as unpatentable over Meyer in view of Fredlund and further in view of Official Notice. The Action rejects claims 14 and 20-26 under 35 U.S.C. § 103(a) as unpatentable over Meyer in view of Fredlund in further view of Both and in further view of Official Notice. Applicants traverse the rejections.

The claims presented in the present application relate to the generation of an identifier for a software application installed on a computer that will uniquely distinguish the software application from among other software applications available for the operating environment of the computer. (Specification at page 3, lines 1-2.) For example, one disclosed embodiment in the specification of the present application generates an identifier for an installed software application by applying a hashing function to a combination of the graphical icon and the name of the executable file for the installed software application. (Specification at page 4, lines 16-21; and page 9, lines 14-18.) Generating the identifier from this particular combination has been found advantageous because the identifier is unlikely to change despite possible patching or other updates of the application executable file and other data files. (Specification at page 10, 5-10.) The identifier can be used in a query to a networked database to, for example, determine whether the installed software application is a game whose metadata should be displayed in a

game center interface of the operating environment. (Specification at page 10, lines 20-24; and page 11, lines 3-19.)

More particularly, claim 1 recites:

In a computer system, a method of generating an application identifier for distinguishing a software application that is installed on the computer system from among other available software applications for an operating environment of the computer system, the installed software application comprising a plurality of files on the computer system, the files comprising at least an executable file and graphical icon data, the executable file having a name, the method comprising:

obtaining graphical icon data from the files of the installed software application;
applying an identifier generation algorithm to a combined set of data for the software application, the combined set of data for the software application comprising the graphical icon data obtained from the files of the installed software application and the name of the executable file of the software application;

generating the application identifier for the software application based on the applying of the identifier generation algorithm, the application identifier operable to distinguish the software application from among the other available software applications for the operating environment of the computer system; and

utilizing the application identifier for the software application to access information about the software application from a networked database containing information about the software applications available for the operating environment of the computer system; and

displaying the accessed information about the software application in a graphical user interface;

wherein the identifier generation algorithm is a hashing algorithm.

(Emphasis added.)

The other independent claims 20, 23 and 27 recite similar language to the highlighted language of claim 1. This language is not taught or suggested by the cited art.

None of the cited art whether considered singly or in combination teach or suggest to generate an identifier for an installed software application from a combination of the graphical icon and executable file name in the files of the installed software application.

Meyer describes using an identifier such as a watermark embedded in a media object, which may be an image. (Meyer at paragraph [0007].) Meyer actually teaches using the embedded identifier or watermark in the media object, and not the graphical content of the object itself. Regardless, however, Meyer describes that the embedded identifier is sufficient to link metadata and other actions with a media object. The number of media objects, even just considering images alone, vastly outnumber the total number of software applications available on any computer operating platform. Accordingly, Meyer's description that an embedded

identifier is sufficient to link to metadata of media objects would certainly lead away from having to combine other information of an installed software application to distinguish from among other available software applications for an operating environment.

Fredlund describes creating a unique signature for each image from the data of the image. (Fredlund at Abstract.) Similar to Meyer, Fredlund describes that rather than using the graphical content of the image, the identifier is actually data embedded in or added to the image data file. , Fredlund does not appear to use the identifier to distinguish from other items, but rather to indicate whether a particular application has permission to process the image. (Fredlund, at column 4, lines 39-41.) Regardless, because Fredlund indicates the identifier embedded in the image file is sufficient for the operation, Fredlund (like Meyer) would actually lead those skilled in the art away from combining any other data to create an identifier to be distinct from other available software applications.

On the other hand, Both describes hashing a name of a document for use in locating and retrieving the document from a document subdirectory of a file system. (Both at Abstract.) Because Both indicates the hashed name already is sufficient to perform the locating and retrieval operation, Both also would actually lead away from combining any other information to create his document identifier.

The Office also alleges that the motivation for one of ordinary skill in the art to combine Both with Meyer/Fredlund is that the hashing of a document name avoids need for a database management system. However, the claimed method and systems in the present application explicitly recite to use the identifier created from the combined data of the icon and executable name *in a query to a networked database*. Accordingly, Both's description that hashing a document name avoids use of a database management system would actually lead one away from the claimed combination where the generated identifier is used specifically to query a database.

For at least the reasons discussed above, the cited art considered individually or in combination fails to teach or suggest creating an identifier from the combination of graphical icon and executable name of an installed software application to distinguish the installed software application from other software applications available for an operating environment of the computer, and use of such identifier in a query of a networked database. The independent claims 1, 20, 23 and 27 therefore clearly should be patentable over this art. The dependent claims 3-18, and 21, 22, 24-26 are patentable for at least the same reasons as their base claims to

which they respectively refer. In addition, the dependent claims recite further limitations that in combination with the limitations of their base claim render the claims separately patentable. However, in interest of brevity, the additional limitations of the dependent claims are not further belabored at this time.

Interview Request

If the claims are not found by the Examiner to be allowable, the Examiner is requested to call the undersigned attorney to set up an interview to discuss this application.

Conclusion

The claims in their present form should be allowable. Such action is respectfully requested.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 595-5300
Facsimile: (503) 595-5301

By


Stephen A. Wight

Registration No. 37,759